



**Tennessee Department of Environment and Conservation**  
**Division of Water Pollution Control**  
**Mining Section**  
**3711 Middlebrook Pike**  
**Knoxville, Tennessee 37921-6538**  
**PHONE (865) 594-6035 FAX (865) 594-5253**

**Public Participation Opportunities**

**July 17, 2008**

**Public Notice M2008-12**

**Last Day to Submit Comments: August 18, 2008**

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

**Individual NPDES Permits**

***Coal Proposed Modification/Reissuances***

Applicant	<b>Appolo Fuels, Inc.</b>
Facility	<b>Bennett's Fork Tennessee Mine</b>
NPDES Permit Number	<b>TN0072338</b>
County	Claiborne
Street Address	End of Tennessee Highway 132
City	Manring
Zip	37715
Description of Modification	Moving the location of an outfall to the Tackett Creek watershed
Receiving Streams	Unnamed tributaries to Tackett Creek and Bennett's Fork Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°33'46"
Facility Longitude	83°47'46"
Permit Writer	MRR
Applicant	<b>Cumberland Minerals Corporation</b>
Facility	<b>Mine 3</b>
NPDES Permit Number	<b>TN0050059</b>
County	Rhea
Street Address	Shutin Gap Road
City	Spring City
Zip	37381
Description of Activity	Reclaimed coal processing facility and underground coal mine
Receiving Stream	Bearpen Branch and wet weather conveyances to Bearpen Branch
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°40'52"
Facility Longitude	84°56'52"
Permit Writer	MRR

Applicant	<b>Cumberland Minerals Corporation</b>
Facility	<b>Mine 5</b>
NPDES Permit Number	<b>TN0054411</b>
County	Rhea
Street Address	Shutin Gap Road
City	Spring City
Zip	37381
Description of Activity	Reclaimed underground coal mine
Receiving Stream	Stinging Fork
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°42'52"
Facility Longitude	84°56'18"
Permit Writer	MRR

***Non-Coal Proposed Reissuances***

Applicant	<b>Ford Construction Company</b>
Facility	<b>Old London Pit</b>
NPDES Permit Number	<b>TN0072052</b>
County	Obion
Street Address	Kendall Road
City	Troy
Zip	38260
Description of Activity	Construction sand and gravel mining
Receiving Stream	Unnamed tributary to Richland Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°18'23"
Facility Longitude	89°14'25"
Permit Writer	SJT

Applicant	<b>H. C. Spinks Clay Company, Inc.</b>
Facility	<b>Mine 32 – Johns</b>
NPDES Permit Number	<b>TN0079146</b>
County	Henry
Street Address	2970 Goldston Springs Road
City	Puryear
Zip	38251
Description of Activity	Ball clay mining
Receiving Stream	Unnamed tributary to North Fork Obion
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°24'39"
Facility Longitude	88°22'38"
Permit Writer	KBG

Applicant	<b>Vulcan Construction Materials, LP</b>
Facility	<b>Hermitage Quarry</b>
NPDES Permit Number	<b>TN0003115</b>
County	Davidson
Street Address	5301 Old Hickory Boulevard
City	Hermitage
Zip	37217
Description of Activity	Limestone quarry and processing
Receiving Stream	Unnamed tributary to Stoners Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°10'45"
Facility Longitude	86°37'30"
Permit Writer	KBG

Applicant	<b>Williamson County Highway Department</b>
Facility	<b>Williamson County Rock Quarry (Globe Quarry)</b>
NPDES Permit Number	<b>TN0068861</b>
County	Williamson
Street Address	1556 Columbia Avenue
City	Franklin
Zip	37064
Description of Activity	Limestone mining and processing
Receiving Stream	Unnamed tributary to Harpeth River
	City of Franklin storm water system
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°54'00"
Facility Longitude	86°52'30"
Permit Writer	SJT

***Non-Coal Proposed Modification***

Applicant	<b>Raja Stone Corporation, Inc.</b>
Facility	<b>Tazewell Quarry</b>
NPDES Permit Number	<b>TN0066648</b>
County	Claiborne
Street Address	945 Cedar Fork Road
City	Tazewell
Zip	37879
Description of Activity	Limestone mining and processing
Receiving Stream	Unnamed tributary to Russell Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°28'16"
Facility Longitude	83°32'48"
Permit Writer	SJT

***Non-Coal Proposed Termination***

Applicant	<b>Memphis Stone and Gravel Company</b>
Facility	<b>North Plant Area 2</b>
NPDES Permit Number	<b>TN0071269</b>
County	Shelby
Street Address	10236 Millington-Arlington Road
City	Arlington
Zip	38002
Description of Activity	Reclaimed sand and gravel mine
Receiving Stream	West Beaver Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°20'43"
Facility Longitude	89°42'46"
Permit Writer	JPJ

### ***Correction of NPDES Permit Number***

*This proposed coal modification/reissuance was advertised on Public Notice M2008-11, dated June 26, 2008, as TN0054848. The correct number is TN0053848*

Applicant	<b>National Coal Corporation</b>
Facility	<b>Tipple 2</b>
NPDES Permit Number	<b>TN0053848 (not TN0054848)</b>
County	Campbell
Street Address	Old Highway 63
City	Caryville
Zip	37714
Description of Activity	Tippling of processed coal
Receiving Stream	Cove Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°22'36"
Facility Longitude	84°16'30"
Permit Writer	DAT

TDEC is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at [Gary.Mullins@state.tn.us](mailto:Gary.Mullins@state.tn.us). Comments must be received by the end of comment period date (see page 1).

### **How to Request a Public Hearing:**

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

### **How the Department Will Proceed:**

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

### **To Obtain Permit Details:**

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email [Tina.E.Jones@state.tn.us](mailto:Tina.E.Jones@state.tn.us) or call (865) 594-5616 to schedule an appointment for the review(s).

List of Permit Writers

<b>KBG</b>	<b>Kristen Gettelfinger</b>	<b>865-594-5545</b>	<a href="mailto:Kristen.Gettelfinger@state.tn.us">Kristen.Gettelfinger@state.tn.us</a>
<b>JPJ</b>	<b>Jesse Jones</b>	<b>865-594-5543</b>	<a href="mailto:Jesse.P.Jones@state.tn.us">Jesse.P.Jones@state.tn.us</a>
<b>GWM</b>	<b>Gary Mullins</b>	<b>865-594-5536</b>	<a href="mailto:Gary.Mullins@state.tn.us">Gary.Mullins@state.tn.us</a>
<b>MRR</b>	<b>Micheal Robbins</b>	<b>865-594-5542</b>	<a href="mailto:Michael.Robbins@state.tn.us">Michael.Robbins@state.tn.us</a>
<b>MES</b>	<b>Michael Swanger</b>	<b>865-594-5595</b>	<a href="mailto:Michael.Swanger@state.tn.us">Michael.Swanger@state.tn.us</a>
<b>SJT</b>	<b>Steven Turaski</b>	<b>865-594-5584</b>	<a href="mailto:Steven.Turaski@state.tn.us">Steven.Turaski@state.tn.us</a>
<b>DAT</b>	<b>Dave Turner</b>	<b>865-594-5541</b>	<a href="mailto:Dave.Turner@state.tn.us">Dave.Turner@state.tn.us</a>

**State of Tennessee Antidegradation Policy**

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters (ETWS) and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Non Exceptional Tennessee Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

**State of Tennessee Policy of Non-Discrimination**

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).